

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY TIFT,

Defendant.

CASE NO. CR20-0168-JCC

ORDER

This matter comes before the Court on *pro se* Defendant Gregory Tift's motion to continue trial (Dkt. No. 53). Having thoroughly considered the motion and the relevant record, the Court hereby GRANTS the motion for the reasons explained below.

On September 30, 2020, Mr. Tift was indicted for conspiracy to distribute controlled substances and possession of controlled substances with intent to distribute. (Dkt. No. 3.) The Court has previously granted three motions to continue the trial date in this case (Dkt. No. 15, 18, 27.) Trial is currently set to begin on February 28, 2022. (Dkt. No. 27.)

Mr. Tift now seeks to continue the trial to a date in June 2022. (*See* Dkt. No. 53-2.) He has executed a speedy trial waiver through July 25, 2022. (Dkt. No. 53-1.) There have been significant developments in this case since the last continuance. On December 8, 2021, the Government filed a superseding indictment newly alleging a violation of 21 U.S.C. § 841(b)(1)(B). (*See* Dkt. Nos. 3, 41.) Additionally, the Court granted Defendant's motion to

1 proceed *pro se*. (Dkt. No. 37.) Finally, new standby counsel was appointed on December 14,
2 2021. (Dkt. No. 49.) Mr. Tift is concerned that diligently preparing for the current trial date is not
3 tenable given the changes in counsel, voluminous discovery in this case, added enhancements to
4 the allegations, personal health issues, and general complications due to the COVID-19
5 pandemic. (Dkt. No. 53 at 2–3.) Accordingly, Mr. Tift requests more time to allow him and new
6 standby counsel to adequately prepare for trial. (*Id.*) The Government does not oppose his
7 motion. (Dkt. No. 55.)

8 As such, the ends of justice served by granting a continuance outweigh the best interests
9 of Mr. Tift and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). Having thoroughly
10 considered the briefing and the relevant record, the Court FINDS as follows:

- 11 1. Taking into account the exercise of due diligence, the failure to grant a continuance
12 would deny Defendant’s counsel reasonable time necessary for effective preparation,
13 *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a miscarriage of
14 justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i).
- 15 2. The period of delay is necessary for Defendant, now proceeding *pro se* and newly-
16 appointed standby counsel to adequately prepare for trial, to adequately conduct the
17 necessary investigation and prepare an appropriate defense. and consider possible
18 pretrial motions.

19 Accordingly, the Court ORDERS:

- 20 1. The February 28, 2022 jury trial is CONTINUED to July 11, 2022.
- 21 2. The January 17, 2022 pretrial motions deadline is CONTINUED to June 6, 2022.
- 22 3. The period from the date of this order up to and including July 11, 2022 is an
23 excludable time period under 18 U.S.C. § 3161(h)(7)(A).

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1 DATED this 10th day of January 2022.

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5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
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